

ORIGINAL



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APR 21 2004

Illinois Commerce Commission
RAIL SAFETY SECTION

April 20, 2004

VIA U.P.S. OVERNIGHT

Mr. David Lazarides
Director of Processing
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

**RE: Exhibit to Petition for an Order of the Illinois
Commerce Commission for the Closure of Brundige Road,
Public Grade Crossing D.O.T. #175003E at Milepost
39.40 on the Elburn Extension of the Geneva
Subdivision, Unincorporated Area of Kane County,
Illinois; Docket No. T03-0030**

Dear Mr. Lazarides:

Attached hereto as a late filed exhibit in the above-referenced matter, is a letter from Rick A. Sturm, Director of Track Maintenance concerning a crossing accident which occurred on March 31, 2004, at the Brundige Road grade crossing in Blackberry Township, Kane County, Illinois. According to the report, the driver did sustain personal injury.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", with a stylized flourish at the end.

Enclosures

cc: William C. Chesbrough, Esq.
Judge June B. Tate
Rick Sturm
Tom Andryuk
Tom Zapler
Rich Ellison

DOCKETED

G:\LAW\COMMERCE\COMMSTAT\COMMIL\T03-0030\010.DOC

Mack H. Shumate, Jr.
Senior General Attorney, Law Department

UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718
ph. (312) 777-2055 fx. (312) 777-2065

APR 21 2004

UPS BV/JT

UNION PACIFIC RAILROAD COMPANY

ENGINEERING DEPARTMENT
COMMUTER OPERATIONS



500 WEST MADISON STREET
SUITE 3610
CHICAGO, ILLINOIS 60661
(312) 496-4750

April 8, 2004

Mr. M. H. Shumate
Senior General Attorney
101 N. Wacker
Chicago, IL 60606

RECEIVED
APR 13 2004
LAW DEPARTMENT
UNION PACIFIC RR CO.

Re: Brundige Road Crossing Accident – March 31, 2004

Dear Mack:

On March 31, 2004 at approximately 10:30 p.m. there occurred a vehicle/train collision at Brundige Road, MP 39.4 on our Geneva Subdivision in Blackberry Township. Union Pacific's westbound train #CNTNA-30 with lead locomotive UP 6010 traveling at 45 mph struck a 1997 Chevrolet pickup truck which was going northbound on Brundige Road.

Mr. Gehrman Radtke, a 19-year-old male was the driver of the pickup truck and a female passenger Suzanna S. Albanese accompanied him. It appeared that the pickup truck had stalled in the crossing and that the occupants were attempting to push it off the crossing at the time of the collision.

I have included a copy of the UPRR accident report for your information. Brundige Road has been the subject of a recent ICC hearing on closure of this crossing.

If you have any questions, please call me at 312-496-4750.

Sincerely,

Rick A. Sturm
Director of Track Maintenance

RAS:aes

cc: T. N. Andryuk
D. Gabel

Shumate3.ras

Engineering Department, Commuter Operations

UNION PACIFIC RAILROAD
500 West Madison St., Ste. 3610, Chicago, IL 60661
ph. (312) 496-4750

U P R R - ACCIDENT/INCIDENT REPORTING SYSTEM
GRADE CROSSING DETAIL REPORT FOR INCIDENT 0304PR041
DATE: 04/05/04 TIME: 14:12 PROGRAM: AIRI0040

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* * * * GENERAL INFORMATION * * * *

INCIDENT NUMBER: 0304PR041 REPORTING UNIT: CHICAGO
DATE OCCURRED: 03/31/04 STATION/STATE: GENEVA IL
TIME OCCURRED: 22:30 MPOST/CIRC7: 39.40 NZ035
DAY OF WEEK: WEDNESDA COST CENTER: PR409
WTHR/VSBL/TEMP: CLOUDY DARK 45 DEPARTMENT: 31 TRANS - MAIN
INJ/FATAL/EVAC: 1 0 0 SYS-ROAD/SUBDV: UP 1
HIGHWAY: BRUNDIGE ROAD ON COMP PROP: YES
CITY: GENEVA TRACK MAINT:
COUNTY/STATE: KANE IL OTHER INVOLVED:
WORK ORDER: NO NUMBER: JOB: 0
JOINT FACILITY: NO NUMBER: 0 SEG: 0 ROAD:
CAUSE/ACTION-1: TRAIN / STRUCK
CAUSE/ACTION-2: /
REMARKS: CNTNA-30, LEAD LOCOMOTIVE UP 6010, STRUCK PICKUP TRUCK WHICH HAD
STALLED ON THE TRACKS. OCCUPANTS WERE ATTEMPTING TO PUSH VEHICLE IN THE
CLEAR WHEN THE GATES CAME DOWN AND MOVED OUT OF THE WAY BEFORE IMPACT.
PREVENT: RECOLLECT FROM: SUZANNE S. ALBANESE (OWNER), 209 TIMBER OAKS DR.,
NORTH AURORA, IL 60542.
TCS FILE #/STAT: C
PERSONAL INJURY: N GRADE CROSSING: R RAIL EQUIP: N MISCELLANEOUS:
ENTERED: 04/01/04 17:18 OSUP929 CHANGED: 04/02/04 18:16 OSUP929

* * * * WITNESSES * * * *

NAME:
ADDRESS:
CITY/STATE/ZIP: 00000
PHONE NUMBER: 000 0000
ENTERED: / / : CHANGED: / / :

* * * * GRADE CROSSING * * * *

DOT XING ID: 175003E TYPE EQUIP: TRAIN PULLING
HAZMAT TRANS BY: NEITHER OTHER EQUIP:
WHO STUCK WHO: TRN STRUCK HWY USR EQUIP ID: UP 6010
NBR VEH INVOLV: 1 POS IN TRAIN: 1
XING TYPE: ASPHALT CONDITION:
FIXED LIGHTING: PRESENT: NO OPERATING:
HWY SIG CONNECT: PRESENT: OPERATING:

---	DEVICE	---	PRESENT	LOCATION	OPERATING	--	DEVICE	--	PRESENT	LOCATION
	CANTILVR FLASHER	YES		BOTH			STOP SIGN:		NO	
	STANDARD FLASHER	NO					CROSS BUCKS:		NO	
	GATES	YES		BOTH			FLAG MAN:		NO	
	WIG WAGS	NO					WATCH MAN:		NO	
	TRAFFIC SIGNALS	NO								
	AUDIBLE SIGNALS	YES		BOTH						
	OTHER SIGNALS	NO								

INCIDENT STATUS: FINAL REPORT RPRBLTY: FRA REPORTABLE
REPORTED TO FRA: FIRST: / / LAST: / / PREV: / /
DATE MNLY PROC: / /
ENTERED: 04/01/04 17:21 OSUP929 CHANGED: 04/01/04 17:21 OSUP929

U P R R - ACCIDENT/INCIDENT REPORTING SYSTEM
GRADE CROSSING DETAIL REPORT FOR INCIDENT 0304PR041
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* * * * VEHICLE INFORMATION * * * *

VEHICLE TYPE: PICK UP TR FIRST INVOLV: YES
COMP ID/OWNER: VEH DAMAGE: 5000
VEH YEAR/MAKE: 1997 CHEVROLET LICENSE/ST: 1451ZT IL
VEH SPEED/DIR: 0 NORTH VEH POSITION: STALLED
UNDER INFLUENCE: NONE
OCCUPANTS: TOT: 0 INJ: 0 FATAL: 0

DRIVER NAME: RADTKE GEHRMAN SSN: 000 00 0000
ADDRESS: 209 TIMBER OAKS DRIVE AGE: 19
CITY/ST/ZIP: AURORA IL 60542 SEX: MALE
ENTERED: 04/01/04 18:34 CHANGED: 04/01/04 18:34 OSUP929

OWNER NAME: ALBANESE SUZANNES
ADDRESS: 209 TIMBER OAKS DRIVE
CITY/ST/ZIP: AURORA IL 60542
ENTERED: 04/01/04 17:46 OSUP929 CHANGED: 04/01/04 17:46 OSUP929

INSURER NAME: GEICO POLICY: 0156036105
ADDRESS:
CITY/ST/ZIP: 00000
ENTERED: 04/01/04 17:46 OSUP929 CHANGED: 04/01/04 17:46 OSUP929

* * * * VEHICLE DRIVERS ACTIONS * * * *

DRIVER ISSUED CITATION: NO OFFICER:
DRIVER INJURED: YES
DRIVER USED RESTRAINING EQUIP: UNKNOWN
PASSING A STANDING HWY VEHICLE: NO
DROVE IN FRONT OF/BEHIND ONE
TRAIN AND STRUCK BY SECOND NO
DROVE AROUND/THROUGH GATE: NO
STOPPED FIRST THEN PROCEEDED: NO
DRIVER STOPPED: YES
DRIVER DID SOMETHING ELSE: NO SPECIFY:
VIEW OF TRACK OBSCURED: NO BY WHAT:
VEHICLE WINDOWS UP: UNKNOWN
DRIVER IN VEHICLE: NO
DRIVER STRUCK PEDESTRIAN: NO
ENTERED: 04/01/04 17:46 OSUP929 CHANGED: 04/01/04 18:34 OSUP929

* * * * PASSENGERS * * * *

PASSENGER NAME: INJ:
ADDRESS: SSN:
CITY/ST/ZIP: 00000 PHONE: 000 0000
ENTERED: / / : CHANGED: / / :

U P R R - ACCIDENT/INCIDENT REPORTING SYSTEM
GRADE CROSSING SUMMARY REPORT FOR INCIDENT 0304PR041
DATE: 04/05/04 TIME: 14:12 PROGRAM: AIRI0040

INCIDENT NUMBER:	0304PR041	REPORTING UNIT:	CHICAGO
DATE OCCURRED:	03/31/04	STATION/STATE:	GENEVA IL
TIME OCCURRED:	22:30	MILEPOST:	39.40
DATE REPORTED:	04/01/04	COST CENTER:	PR409
WTHR/VSBL/TEMP:	CLOUDY DARK	45 DEPARTMENT:	TRANS - MAIN
NBR INJ/FATAL:	1 0	WITNESSES:	0

REMARKS: CNTNA-30, LEAD LOCOMOTIVE UP 6010, STRUCK PICKUP TRUCK WHICH HAD STALLED ON THE TRACKS. OCCUPANTS WERE ATTEMPTING TO PUSH VEHICLE IN THE CLEAR WHEN THE GATES CAME DOWN AND MOVED OUT OF THE WAY BEFORE IMPACT.
PREVENT: RECOLLECT FROM: SUZANNE S. ALBANESE (OWNER), 209 TIMBER OAKS DR., NORTH AURORA, IL 60542.

HIGHWAY:	BRUNDIGE ROAD	DOT XING ID:	175003E
SYS/OTH TRN ID:	CNTNA 30	WHO STRUCK:	TRN STRUCK HWY USR
CONSIST TYPE:	FREIGHT	POS THRU XING:	1
TRAIN SPEED/DIR:	45 EST WEST	HORN/TRI RAD:	YES YES
WARNING DEVICES:	GATES	CANTILEVER FLS	AUDIBLE

VEHICLE TYPE:	PICK UP TR	YEAR/MAKE:	1997 CHEVROLET
VEH SPEED/DIR:	0 NORTH	VEH POSITION:	STALLED
OCCUPANTS: TOT:	0 INJ: 0 FATAL:		0

DRIVER:	RADTKE	GEHRMAN	
DRIVER AGE/SEX:	19 MALE	DRIVER INJ:	YES
DRIVERS ACTION:	STOP/DID NOT PROCEED	VIEW OBSCUR:	
UNDER INFLUENCE:	NONE		

VEH PASSENGERS:

INJ:

U P R R - ACCIDENT/INCIDENT REPORTING SYSTEM
GRADE CROSSING SUMMARY REPORT FOR INCIDENT 0304PR041
DATE: 04/05/04 TIME: 14:12 PROGRAM: AIRI0040

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WTHR/VSBL/TEMP: CLOUDY DARK 45 DEPARTMENT: TRANS - MAIN
NBR INJ/FATAL: 1 0 WITNESSES: 0

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HIGHWAY: BRUNDIGE ROAD DOT XING ID: 175003E
SYS/OTH TRN ID: CNTNA 30 WHO STRUCK: TRN STRUCK HWY USR
CONSIST TYPE: FREIGHT POS THRU XING: 1
TRAIN SPEED/DIR: 45 EST WEST HORN/TRI RAD: YES YES
WARNING DEVICES: GATES CANTILEVER FLS AUDIBLE

VEHICLE TYPE: PICK UP TR YEAR/MAKE: 1997 CHEVROLET
VEH SPEED/DIR: 0 NORTH VEH POSITION: STALLED
OCCUPANTS: TOT: 0 INJ: 0 FATAL: 0

DRIVER: RADTKE GEHRMAN
DRIVER AGE/SEX: 19 MALE DRIVER INJ: YES
DRIVERS ACTION: STOP/DID NOT PROCEED VIEW OBSCUR:
UNDER INFLUENCE: NONE

VEH PASSENGERS: INJ: